

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**CHARLES SMITH, #91945**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 4:08cv73-HTW-LRA**

**DALE CASKEY, ET AL**

**DEFENDANTS**

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**AGREED ORDER OF DISMISSAL**

This cause came before the Court upon Plaintiff's letter request filed October 29, 2009, document number 36, requesting that he be allowed to dismiss his case without prejudice. Plaintiff is scheduled to be released from prison on or about November 16, 2009, after serving his sentence, and he desires to dismiss his case before his release.

Defendants have notified the Court that they have no objection to the dismissal of the Complaint. The Court, having considered the parties' request, and finding that the motion is well-advised, does HEREBY GRANT Plaintiff's motion to voluntarily dismiss his case.

IT IS, HEREBY, ORDERED AND ADJUDGED that the Complaint is dismissed without prejudice.

SO ORDERED , this the 3rd day of November, 2009.

/s/ Linda R. Anderson  
UNITED STATES MAGISTRATE JUDGE